

Mail Stop Interference
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Filed 14 October 2008

UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

RICHARD **HARKINS**, DEBORAH PARKES, GORDON PARRY,
RENATE PARRY, AND DOUGLAS W. SCHNEIDER
Junior Party
(U.S. Application 10/624,884),

v.

SHUJATH M. **ALI**, YONGMING SUN, SUSANA SALCEDA,
HERVE RECIPON, AND ROBERT CAFFERKEY
Senior Party
(U.S. Patent 7,364,862).

Patent Interference No. 105,635 (MPT)
(Technology Center 1600)

JUDGMENT - ADVERSE - Bd. R. 127(b)

Before RICHARD E. SCHAFER, MICHAEL P. TIERNEY, and JAMES T. MOORE, *Administrative Patent Judges*.
TIERNEY, *Administrative Patent Judge*

Harkins has filed a request for adverse judgment as to Count 1, the sole count in interference. (Paper 23). Harkins states that it concedes priority without the parties having entered into any settlement agreement and that there are no documents to be filed pursuant to 35 U.S.C. §135(c). (Paper 23, p. 2). No motions have been filed in this interference.

It is:

ORDERED that judgment on priority as to Count 1, the sole count in interference (Redeclaration, Paper 15), is awarded against Junior Party Harkins.

FURTHER ORDERED that claims 30, 31, 33-35 and 37-47 of Harkins' involved '884 application, all of which correspond to Count 1, be FINALLY REFUSED, 35 U.S.C. § 135(a).

FURTHER ORDERED that a copy of this judgment be entered in the administrative records of the involved Harkins' '884 application and involved Ali '862 patent.

/Richard E. Schafer)

RICHARD E. SCHAFER)

Administrative Patent Judge)

)

/Michael P. Tierney/) BOARD OF PATENT

MICHAEL P. TIERNEY) APPEALS AND

Administrative Patent Judge) INTERFERENCES

)

/James T. Moore/)

JAMES T. MOORE)

Administrative Patent Judge)

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